

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Michael J. Huth Sr.**  
**Rosalyn M. Huth**  
Debtor(s)

Bankruptcy Case No.: 16-24167-JAD  
Issued May 18, 2017 Proceeding  
Chapter: 13  
Docket No.: 24 - 9, 15  
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated November 16, 2016 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☒ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Wells Fargo Bank at Claim No. 8 .
- ☒ H. Additional Terms: The claim of JPMorgan Chase Bank at Claim No. 9 shall be paid in the amount of \$390.29 per month for 7 months in total amount of \$3,732.03.

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: May 24, 2017

Jeffery A. Deller  
United States Bankruptcy Judge

cc: All Parties in Interest to be served by Clerk in seven (7) days

**Certificate of Notice Page 4 of 5**  
 United States Bankruptcy Court  
 Western District of Pennsylvania

In re:  
 Michael J. Huth, Sr.  
 Rosalyn M. Huth  
 Debtors

Case No. 16-24167-JAD  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: jhel  
 Form ID: 149

Page 1 of 2  
 Total Noticed: 51

Date Rcvd: May 24, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 26, 2017.

db/jdb  
 cr +Michael J. Huth, Sr., Rosalyn M. Huth, 24 Woodlawn Dr., Freeport, PA 16229-1940  
 +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave.,  
 Pittsburgh, PA 15233-1828  
 cr WELLS FARGO BANK, N.A., MAC N9286-01Y, 1000 Blue Gentian Road, Eagan, MN 55121-7700  
 14318981 ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238  
 (address filed with court: Bank of America Visa, PO Box 15019, Wilmington, DE 19886)  
 14318982 +Bank of America-American Express, PO Box 15019, Wilmington, DE 19886-5019  
 14318983 +Barkley Bank/Juniper Bank, PO Box 13337, Philadelphia, PA 19101-3337  
 14318985 +Capital One Mastercard, PO Box 71083, Charlotte, NC 28272-1083  
 14318986 +Captial One Mastercard, PO Box 30285, Salt Lake City, UT 84130-0285  
 14318988 +Chase Bank, PO Box 1423, Charlotte, NC 28201-1423  
 14318990 +Chase Visa, PO Box 1423, Charlotte, NC 28201-1423  
 14371145 Department Store National Bank, c/o Quantum3 Group LLC, PO Box 657,  
 Kirkland, WA 98083-0657  
 14318993 +Discover Card, PO Box 742655, Cincinnati, OH 45274-2655  
 14318994 +Exxon Mobil, PO Box 6404, Sioux Falls, SD 57117-6404  
 14318996 +First National Bank of Omaha, PO Box 3412, Omaha, NE 68103-0412  
 14328801 +First National Bank of Omaha, 1620 Dodge St., Stop Code 3105, Omaha, NE 68197-0002  
 14363747 +MIDLAND FUNDING LLC, PO Box 2011, Warren, MI 48090-2011  
 14318999 +Macy's, Bankruptcy Dept., PO Box 8218, Mason, OH 45040-8218  
 14319000 +Macy's/American Express, Bankruptcy Dept., PO Box 8218, Mason, OH 45040-8218  
 14356181 NAVIENT PC TRUST, C/O Navient Solutions, Inc., PO BOX 9640, Wilkes-Barre, PA 18773-9640  
 14319001 +National Tire & Battery, 6716 Grade Lane, Bldg. 9, Suite 910, Louisville, KY 40213-3410  
 14319006 +PNC Bank, PO Box 3429, Pittsburgh, PA 15230-3429  
 14325526 +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021  
 14319008 +Sears Mastercard, PO Box 6282, Sioux Falls, SD 57117-6282  
 14319009 +Shell Oil Company, PO Box 6406, Sioux Falls, SD 57117-6406  
 14319010 +Sunoco, PO Box 6407, Sioux Falls, SD 57117-6407  
 14319011 +Target Mastercard, PO Box 660170, Dallas, TX 75266-0170  
 14319013 +Wells Fargo Bank, PO Box 10347, Des Moines, IA 50306-0347  
 14337314 Wells Fargo Bank N.A., d/b/a Wells Fargo Dealer Se, PO Box 19657, Irvine CA 92623-9657  
 14381979 Wells Fargo Bank, N.A., Wells Fargo Card Services, PO Box 10438, MAC F8235-02F,  
 Des Moines, IA 50306-0438  
 14341364 Wells Fargo Bank, N.A., Default Document Processing, N9286-01Y, 1000 Blue Gentian Road,  
 Eagan, MN 55121-7700  
 14319014 Wells Fargo Dealer Services, P.O. Box 25341, Santa Ana, CA 92799-5341  
 14319015 +Wells Fargo Home Mortgage, PO Box 14411, Des Moines, IA 50306-3411

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14330824 E-mail/Text: ally@ebn.phinsolutions.com May 25 2017 00:57:27 Ally Bank, PO Box 130424,  
 Roseville MN 55113-0004  
 14318980 +E-mail/Text: ally@ebn.phinsolutions.com May 25 2017 00:57:27 Ally Bank, PO Box 9001951,  
 Louisville, KY 40290-1951  
 14318984 +E-mail/PDF: gecsedirecoverycorp.com May 25 2017 00:51:13 BP Visa, c/o Synchrony Bank,  
 Attn: Bankruptcy Dept., PO Box 965060, Orlando, FL 32896-5060  
 14318987 +E-mail/Text: bk.notifications@jpmchase.com May 25 2017 00:57:44 Chase Auto Finance,  
 PO Box 901076, Fort Worth, TX 76101-2076  
 14318992 +E-mail/PDF: gecsedirecoverycorp.com May 25 2017 00:50:44 Citgo, c/o Synchrony Bank,  
 Bankruptcy Dept., PO Box 965060, Orlando, FL 32896-5060  
 14328892 E-mail/Text: mrdiscen@discover.com May 25 2017 00:57:28 Discover Bank,  
 Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025  
 14318997 +E-mail/PDF: gecsedirecoverycorp.com May 25 2017 00:50:44 Gap Visa, c/o Synchrony Bank,  
 Bankruptcy Dept., PO Box 965060, Orlando, FL 32896-5060  
 14348508 E-mail/Text: bk.notifications@jpmchase.com May 25 2017 00:57:44 JPMorgan Chase Bank N.A.,  
 National Bankruptcy Department, P.O. Box 29505 AZ1-1191, Phoenix, AZ 85038-9505  
 14318998 +E-mail/PDF: gecsedirecoverycorp.com May 25 2017 00:50:44 Lowe's, c/o Synchrony Bank,  
 Attn: Bankruptcy Dept., PO Box 965060, Orlando, FL 32896-5060  
 14319002 +E-mail/PDF: pa\_dc\_claims@navient.com May 25 2017 00:51:06 Navient, PO Box 9650,  
 Wilkes Barre, PA 18773-9650  
 14336032 E-mail/PDF: pa\_dc\_litigation@navient.com May 25 2017 00:51:19  
 Navient Solutions, Inc. on behalf of, United Student Aid Funds, Inc.,  
 Attn: Bankruptcy Litigation Unit E3149, PO Box 9430, Wilkes Barre, PA 18773-9430  
 14332815 +E-mail/PDF: cbp@onemainfinancial.com May 25 2017 00:50:56 ONEMAIN, 605 MUNN ROAD,  
 FT. MILL, SC 29715-8421  
 14332813 +E-mail/PDF: cbp@onemainfinancial.com May 25 2017 00:50:41 ONEMAIN, 605 MUNN ROAD,  
 FT. MOLL, SC 29715-8421  
 14319004 +E-mail/PDF: cbp@onemainfinancial.com May 25 2017 00:51:10 One Main Financial, PO Box 3327,  
 Evansville, IN 47732-3327  
 14335590 E-mail/PDF: cbp@onemainfinancial.com May 25 2017 00:50:59 OneMain, PO Box 3251,  
 Evansville, IN 47731-3251  
 14381894 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com May 25 2017 01:01:29  
 Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541

District/off: 0315-2

User: jhel  
Form ID: 149

Page 2 of 2  
Total Noticed: 51

Date Rcvd: May 24, 2017

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

14319007 +E-mail/PDF: gecsed@recoverycorp.com May 25 2017 00:51:13 Sam's Club Master Card,  
c/o Synchrony Bank, Attn: Bankruptcy Dept., PO Box 965060, Orlando, FL 32896-5060  
14370578 +E-mail/Text: bncmail@w-legal.com May 25 2017 00:58:39 TD BANK USA, N.A.,  
C O WEINSTEIN & RILEY, PS, 2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132  
14319012 +E-mail/PDF: gecsed@recoverycorp.com May 25 2017 00:50:59 Walmart Mastercard,  
c/o Synchrony Bank, Bankruptcy Dept., PO Box 965023, Orlando, FL 32896-5023  
TOTAL: 19

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr JPMORGAN CHASE BANK, N.A.  
cr\* +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021  
14318989\* +Chase Bank, PO Box 1423, Charlotte, NC 28201-1423  
14318991\* +Chase Visa, PO Box 1423, Charlotte, NC 28201-1423  
14318995\* +Exxon Mobil, PO Box 6404, Sioux Falls, SD 57117-6404  
14373695\* +MIDLAND FUNDING LLC, PO Box 2011, Warren, MI 48090-2011  
14319003\* +Navient, PO Box 9650, Wilkes Barre, PA 18773-9650  
14319005\* +One Main Financial, PO Box 3327, Evansville, IN 47732-3327

TOTALS: 1, \* 7, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address  
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: May 26, 2017

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 24, 2017 at the address(es) listed below:

James Warmbrodt on behalf of Creditor JPMORGAN CHASE BANK, N.A. bkgroup@kmlawgroup.com  
Kenneth Steidl on behalf of Debtor Michael J. Huth, Sr. julie.steidl@steidl-steinberg.com,  
ken.steidl@steidl-steinberg.com;ifriend@steidl-steinberg.com;asteidl@steidl-steinberg.com;leslie.  
nebel@steidl-steinberg.com;todd@steidl-steinberg.com;cgoga@steidl-steinberg.com;r53037@notify.bes  
tcase.com  
Kenneth Steidl on behalf of Joint Debtor Rosalyn M. Huth julie.steidl@steidl-steinberg.com,  
ken.steidl@steidl-steinberg.com;ifriend@steidl-steinberg.com;asteidl@steidl-steinberg.com;leslie.  
nebel@steidl-steinberg.com;todd@steidl-steinberg.com;cgoga@steidl-steinberg.com;r53037@notify.bes  
tcase.com  
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov  
Ronda J. Winnecour cmecf@chapter13trusteedpa.com  
S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com,  
Equitablebankruptcy@peoples-gas.com;srk@sjwpgh.com

TOTAL: 6